UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

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Technology Center 2100

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/007,254
Filing Date: October 29, 2001
Appellant(s): SIMPSON ET AL.

Jack H. McKinney
<u>For Appellant</u>

EXAMINER'S ANSWER

This is in response to the appeal brief filed 4/2/2007 appealing from the Office action

mailed 11/2/2006.

(1) Real Party in Interest

A statement identifying by name the real Party in Interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings, which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

A). Olsen et al. U.S. Patent Publication # 2002/0016921 A1.

B). Horn et al. U.S. Patent # 7,013,289 B1.

C). Leon et al. U.S. Patent Publication # 2001/0042052 A1

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-30 are rejected under 35 U.S.C 103(a). This rejection is set forth in

prior Office Action mailed on 4/3/2006.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1,16,18,26,28-30 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Horn et al. U.S. Patent # 7,013,289 (hereinafter Horn) in view of

Olsen et al. U.S. Patent Publication # 2002/0016921 (hereinafter Olsen).

As per claim 1, Horn teaches in a web based imaging environment, from a user's

client browser, a method of providing the ability to specify a charge-back account, said

method comprising the steps of:

-accessing a destination service representing a production device; downloading

content from said destination service into said client browser (column 31 lines 21-41);

The reference teaches accessing Global store (destination service) representing

a global store system (production device) and downloading the webpage that display

global store department names into client browser.

-retrieving said user's image data; selecting production options for said user's

image data using said production device (column 31 lines 21-56); and

The reference teaches retrieving buyer's request for product (retrieving user's production data), and buyer selecting a product for purchase from a drop down menu (selecting production options for processing) according to product using the global store system (production device).

-providing said user the ability to specify a charge-back account ID for said using production device (column 33 lines 43-67)(column 34 lines 1-10).

Horn fails to teach a print job to print image data.

Olsen teaches retrieving user's image data (Paragraph 74,76), selecting production options for a print job for said user's image data using said production device (Paragraph 74,77,78); and providing said user the ability to specify a charge-back account ID for processing said print job using said production device (Paragraph 69)(Paragraph 79). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Olsen's teaching in Horn's teaching to come up with retrieving image data and selecting the data for printing and specifying account ID for processing the job. The motivation for doing so would be to print the image data which the user has selected using the account ID so that printing will not be mixed up with other user's printing job.

As per claim 2, Horn and Olsen teaches the method of claim 1 but Horn further teaches further comprising displaying a menu including a list of production options for processing according to said user's production data using said production device, said displayed list including a list of charge-back account Ids (column 33 lines 43-67)(column 34 lines 1-10).

As per claim 3, Horn and Olsen teaches the method of claim 2 but Horn further teaches wherein said displayed list of charge-back account IDs includes only account IDs that are individually customized to said user (column 31 lines 43-54).

As per claim 4, Horn and Olsen teaches the method of claim 1 but Horn further teaches further comprising calculating a cost breakdown for said processing according to said user's production data using said production device (column 34 lines 5-10).

As per claim 5, Horn and Olsen teaches the method of claim 4 but Horn further teaches wherein said cost breakdown is calculated prospectively during said steps of selecting and providing (column 36 lines 26-38).

As per claim 6, Horn and Olsen teaches the method of claim 5 but Horn further teaches wherein said cost breakdown is displayed dynamically during said steps of selecting and providing (column 36 lines 26-38).

As per claim 7, Horn and Olsen teaches the method of claim 5 but Horn further teaches further comprising analyzing and reporting resources required to execute said processing according to said user's production data using said production device (column 36 lines 34-60).

As per claim 8, Horn and Olsen teaches the method of claim 1 but Horn further teaches further comprising specifying a charge-back account ID (column 36 lines 39-43).

As per claim 9, Horn and Olsen teaches the method of claim 8 but Horn further teaches wherein a list of default production options associated with said specified

charge-back account ID is displayed (column 34 lines 60-67)(column 35 lines 1-14, lines 41-56).

As per claim 10, Horn teaches the method of claim 8 further comprising:

-transmitting said user's production data using said production device to said destination service (column 36 lines 9-34);

-processing according to said user's production data using said production device in accordance with said selected production options (column 36 lines 26-39);

-calculating the cost of said processing according to said user's production data to be charged back (column 36 lines 26-39); and

-charging back said processing according to said user's production data to said specified charge-back account ID (column 36 lines 26-39).

As per claim 11, Horn teaches the method of claim 10 wherein said charging back occurs after said processing is completed (column 36 lines 26-39).

As per claim 12, Horn and Olsen teaches the method of claim 1 but Horn further teaches wherein said processing does not proceed if a charge-back account ID is not specified (column 36 lines 61-65).

As per claim 13, Horn and Olsen teaches the method of claim 1 but Horn further teaches wherein only specific production operations of said processing do not proceed if a charge-back account ID is not specified (column 36 lines 61-65).

As per claim 14, Horn and Olsen teaches the method of claim 1 but Horn further teaches wherein said user's production data comprises imaging data (column 29 lines 7-8)(column 30 lines 22-33).

As per claim 15, Horn teaches the method of claim 14 wherein said imaging data is retrieved from said user's identity (column 29 lines 7-8)(column 30 lines 22-33).

As per claim 16, Horn teaches the method of claim 14 wherein said imaging data is retrieved from a hard disk local to said user's client browser (column 30 lines 22-23).

As per claim 18, Horn teaches the method of claim 1 wherein said destination service (Fig. 1 element 1500) is remote from said client browser (Fig. 1 element 1210)) (column 31 lines 34-49).

As per claim 19, Horn teaches in a web based imaging environment, a destination service operable to:

-represent a production device (Fig. 1 element 1500);

-download content into a user's client browser (column 31 lines 21-41);

-retrieve image data associated with said user's client browser (column 31 lines 21-56);

-under interactive control of said user's client browser via said content, specify production options for using said production device (column 36 lines 9-43); specify a charge-back account ID (column 33 lines 43-67)(column 34 lines 1-10);

-direct said production device to process in accordance with said selected production options (column 36 lines 34-49);

-calculate the cost of said processing to be charged back; and charge back said processing to said specified charge-back account ID (column 36 lines 19-49).

Horn fails to teach a print job to print the image data.

Olsen teaches retrieve image data(Paragraph 74,76), specify production options

for a print job to print the image data using said production device (Paragraph

74,77,78), specify a charge-back account ID for said print job (Paragraph 69,79), direct

said production device to process said print job in accordance with said selected

production options (Paragraph 74,76,77,78,79).

It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention was made to implement Olsen's teaching in Horn's teaching to

come up with retrieving image data and selecting the data for print job and printing the

image data and specifying account ID for processing the job. The motivation for doing

so would be to print the image data which the user has selected using the account ID so

that printing will not be mixed up with other user's printing job.

As per claim 20, Horn and Olsen teaches the destination service of claim 19 but

Horn further teaches further operable to display at said client browser via said

downloaded content a menu including a selection of production options and charge-

back account IDs associated with said production device (column 33 lines 43-

67)(column 34 lines 1-10).

As per claim 21, Horn teaches the destination service of claim 20 wherein said

displayed list includes only account IDs that are individually customized to said user

(column 31 lines 43-54).

As per claim 22, Horn and Olsen teaches the destination service of claim 19 but

Horn further teaches further operable to calculate a cost breakdown estimate prior to

directing said production device to process in accordance with said selected production options (column 34 lines 5-10).

As per claim 23, Horn teaches the destination service of claim 22 further operable to display said cost breakdown dynamically (column 36 lines 26-38).

As per claim 24, Horn and Olsen teaches the destination service of claim 19 but Horn further teaches operable to retrieve said production data from said user's identity (column 29 lines 7-8)(column 30 lines 22-33).

As per claim 25, Horn and Olsen teaches the destination service of claim 19 but Horn further teaches operable to retrieve said production data from a hard disk local to said user's client browser (column 29 lines 7-8)(column 30 lines 22-33).

As per claim 26, Horn and Olsen teaches the destination service of claim 19 but Horn further teaches wherein said production data comprises imaging data (column 29 lines 7-8)(column 30 lines 22-33).

As per claim 28, Horn teaches in a web based imaging environment, a system providing the ability to specify a charge-back account, said system comprising:

-a user's client browser operable to manage said user's production data (column 31 lines 21-41);

-a destination service representing a production device, said destination service accessible from said user's client browser and operable to retrieve said user's image data, to download content into said user's browser and under interactive control of said user's client browser to specify production options and a charge-back account ID for

processing using said production device (column 31 lines 21-41)(column 33 lines 43-67)(column 34 lines 1-10).

The reference teaches accessing Global store (destination service) representing a global store system (production device) and downloading the webpage that display global store department names into client browser. The reference teaches retrieving buyer's request for product (retrieving user's production data), and buyer selecting a product for purchase from a drop down menu (selecting production options for processing) according to product using the global store system (production device).

Horn fails to teach print job to print said user's image data.

Olsen teaches to specify production options for a print job to print said user's image data and a charge-back account ID for processing said print job using said production device (Paragraph 74,76,77,78,79). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Olsen's teaching in Horn's teaching to come up with having to specify production options for printing user's image data and for processing print job using production device. The motivation for doing so would be to print the image data which the user has selected using the account ID so that printing will not be mixed up with other user's printing job.

As per claim 29, Horn teaches the system of claim 28 wherein said destination service is further operable to display at said user's client browser via said downloaded content a list of said production options and charge-back accounts (column 33 lines 43-67)(column 34 lines 1-10).

As per claim 30, Horn teaches the system of claim 28 wherein said destination service is further operable to calculate and display dynamically a cost breakdown estimate to process using said production device according to said user's production data and according to said specified production options (column 34 lines 5-10)(column 36 lines 26-38).

Claims 17,27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horn et al. U.S. Patent # 7,013,289 (hereinafter Horn) in view of Olsen et al. U.S. Patent Publication # 2002/0016921 (hereinafter Olsen) in further in view of Leon et al. U.S. Patent Publication # 2001/0042052 (hereinafter Leon).

As per claim 17, Horn and Olsen teaches the method of claim 1 but fails to teach wherein said production device comprises a printer. Leon teaches production device comprises a printer (Paragraph 102)(Paragraph 103). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Leon and Olsen's teaching in Horn's teaching to come up with production device comprising a printer. The motivation for doing so would be so the data/image/order sent to the production device can be printed from the production device, which would comprise a printer.

As per claim 27, it teaches same limitation as claim 17, therefore rejected under same basis.

10) Response to Argument

<u>Applicant's argument:</u>

As per claim 1, Appellant submits that Horn does no teach or suggest accessing a destination service representing a production device.

Examiner's Response:

Examiner respectfully disagrees with the appellant because in column 31 lines 21-41, Horn teaches accessing Global store (destination service) representing a global store system (production device) and downloading the webpage that display global store department names into client browser. Appellant argues that Global store and Global store system are the same thing. Examiner would like to point out that claim language states "accessing a destination service **REPRESENTING** a production device..." which means production device is represented by destination service. Horn teaches accessing Global store (destination service) representing a Global store system (production device) and downloading/displaying the webpage that display global store "department" names into the client browser. Global store system acquires a global network of websites having HTML web pages that display global store "department names, which is same as destination service embedded in production device as stated in application's specification Page 16 lines 13-16. Therefore it means global store being part of global store system because global store system acquires network of websites (column 31 lines 20-28). Examiner would also like to point out that according to the language, it does not states that "destination service and production device" are two different entities i.e. it cannot be a same thing. Therefore Horn teaches the claimed limitations.

Applicant's argument:

As per claim 1, Appellant submits that Horn does not teach or suggest retrieving

said user's image data or selecting production options for such image data. Olsen does

not address or otherwise remedy Horn's deficiency.

Examiner's Response:

Examiner respectfully disagrees with the appellant, because both Horn and

Olsen teaches the claimed limitations. In column 31 lines 21-56, Horn teaches retrieving

buyer's request for product (retrieving user's image data) in the WebPages, and buyer

selecting a product for purchase from a drop down menu (selecting production options

for processing) according to product using the global store system (production device).

Examiner equates "user's image data" as buyer's request for product i.e. the web pages

displaying selected products (image data) that are for sale. Examiner has equated

displaying selected products i.e. pictures from the Department website as image data

because pictures of selected product is considered image data. The web page displays

are rendered by buyer's web browser (user's browser).

Olsen also teaches retrieving user's image data (Paragraph 74,76). Olsen

teaches retrieving user's image data as print job records, which consists of a data file or

document.

[0074] In block 202, shown in the flow diagram 200 a
plurality of clients create a number of print job records at
any time. The print job record consists of a data file or
document or alternatively a pointer pointing to an address of
the data file or document to be transferred to any designated
user of the printing control system. The print job record
further consists of a user file or header associated with the
data file or document to be transferred through the printing
control system, which user file or header includes informa-
tion regarding users defined as designated users allowed
access to the document, time during which the designated
users are allowed access to the document and/or an address
pointer to the document.

In Paragraph 76, Olsen further states that data file or document is providing a

document in printer readable format (user's image data).

[0076] In block 204, the data file or document is spooled
providing a document in a printer readable format. The
spooling operation is performed at each client or in an
alternative embodiment of the present invention at the
server. Since in the preferred embodiment of the present
invention the client performs the spooling operations a
plurality of spooling operations may be performed simulta-
neously at each client.

In Paragraph 74,77,78, Olsen further teaches selecting production options for a

print job for said user's image data using said production device. Olsen teaches a user

to request for the particular print job at any printer connected in the printing system

(selecting production options for a print job for user's image data).

In Paragraph 77, Olsen states the print job being particular to any data file or document,

which spooled as print job for the printing control system.

[0077]   As the data file or document is spooled the print job is transferred to the job database in block 206. The document is written to a document table and the user file or header is written to a user table, which document table and user table is described with reference to FIG. 2. In the printing control system according to an alternative embodiment of the present invention the user file or a header contains a pointer addressing the document in a storage medium at the client. The client provides the document to designated users of the printing control system upon request from a designated user. In this alternative embodiment the print job is written to the user table since the user file or header contains all necessary information for the printing control system to extract the document from the client.

[0078]   In block 208, the server is notified of the existence of a print job transferred from any of the plurality of clients in the printing control system. Subsequently the server enters a waiting mode with respect to the particular print job shown as question block 210. The server waits for any user to request the particular print job at any printer connected in the printing control system. If a user performs a request for

any print job at any of the printer communication unit connected in the printing control system, then the server initiates a verification of the requesting user shown as block 212 by correlating user log on information with user information stored in a server memory.

The data file or document being printed at any printer (production device) in the printing control system. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Olsen's teaching in Horn's teaching to come up with retrieving image data and selecting the data for printing and specifying account ID for processing the job. The motivation for doing so would be to print the image data which the user has selected using the account ID so that printing will not be mixed up with other user's printing job. Therefore both Olsen and Horn teaches the claimed limitations.

Applicant's argument:

As per claim 19, Appellant submits that Horn mentions nothing of representing a production device or retrieving image data associated with a user's browser. Olsen does not address or otherwise remedy Horn's deficiencies.

Examiner's Response:

Examiner respectfully disagrees with the appellant, because both Horn and Olsen teaches the claimed limitations. In column 31 lines 21-56, Horn teaches retrieving buyer's request for product (retrieving user's image data) in the WebPages, and buyer selecting a product for purchase from a drop down menu (selecting production options for processing) according to product using the global store system (production device). Examiner equates "user's image data" as buyer's request for product i.e. the web pages displaying selected products (image data) that are for sale. Examiner has equated displaying selected products i.e. pictures from the Department website as image data because pictures of selected product is considered image data. The web page displays are rendered by buyer's web browser (user's browser).

Olsen also teaches retrieving user's image data (Paragraph 74,76). Olsen teaches retrieving user's image data as print job records, which consists of a data file or document.

[0074] In block **202**, shown in the flow diagram **200** a plurality of clients create a number of print job records at any time. The print job record consists of a data file or document or alternatively a pointer pointing to an address of the data file or document to be transferred to any designated user of the printing control system. The print job record further consists of a user file or header associated with the data file or document to be transferred through the printing control system, which user file or header includes information regarding users defined as designated users allowed access to the document, time during which the designated users are allowed access to the document and/or an address pointer to the document.

In Paragraph 76, Olsen further states that data file or document is providing a

document in printer readable format (user's image data).

[0076] In block **204**, the data file or document is spooled providing a document in a printer readable format. The spooling operation is performed at each client or in an alternative embodiment of the present invention at the server. Since in the preferred embodiment of the present invention the client performs the spooling operations a plurality of spooling operations may be performed simultaneously at each client.

In Paragraph 74,77,78, Olsen further teaches selecting production options for a

print job for said user's image data using said production device. Olsen teaches a user

to request for the particular print job at any printer connected in the printing system

(selecting production options for a print job for user's image data).

In Paragraph 77, Olsen states the print job being particular to any data file or document,

which spooled as print job for the printing control system.

[0077]   As the data file or document is spooled the print job is transferred to the job database in block 206. The document is written to a document table and the user file or header is written to a user table, which document table and user table is described with reference to FIG. 2. In the printing control system according to an alternative embodiment of the present invention the user file or a header contains a pointer addressing the document in a storage medium at the client. The client provides the document to designated users of the printing control system upon request from a designated user. In this alternative embodiment the print job is written to the user table since the user file or header contains all necessary information for the printing control system to extract the document from the client.

[0078]   In block 208, the server is notified of the existence of a print job transferred from any of the plurality of clients in the printing control system. Subsequently the server enters a waiting mode with respect to the particular print job shown as question block 210. The server waits for any user to request the particular print job at any printer connected in the printing control system. If a user performs a request for

any print job at any of the printer communication unit connected in the printing control system, then the server initiates a verification of the requesting user shown as block 212 by correlating user log on information with user information stored in a server memory.

The data file or document being printed at any printer (production device) in the printing control system. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Olsen's teaching in Horn's teaching to come up with retrieving image data and selecting the data for printing and specifying account ID for processing the job. The motivation for doing so would be to print the image data which the user has selected using the account ID so that printing will not be mixed up with other user's printing job. Therefore both Olsen and Horn teaches the claimed limitations.

Applicant's argument:

As per claim 28, Appellant submits that Horn mentions nothing of representing a

production device or retrieving image data associated with a user's browser. Olsen does

not address or otherwise remedy Horn's deficiencies.

Examiner's Response:

Examiner respectfully disagrees with the appellant, because both Horn and

Olsen teaches the claimed limitations. In column 31 lines 21-56, Horn teaches retrieving

buyer's request for product (retrieving user's image data) in the WebPages, and buyer

selecting a product for purchase from a drop down menu (selecting production options

for processing) according to product using the global store system (production device).

Examiner equates "user's image data" as buyer's request for product i.e. the web pages

displaying selected products (image data) that are for sale. Examiner has equated

displaying selected products i.e. pictures from the Department website as image data

because pictures of selected product is considered image data. The web page displays

are rendered by buyer's web browser (user's browser).

Olsen also teaches retrieving user's image data (Paragraph 74,76). Olsen

teaches retrieving user's image data as print job records, which consists of a data file or

document.

[0074] In block 202, shown in the flow diagram 200 a plurality of clients create a number of print job records at any time. The print job record consists of a data file or document or alternatively a pointer pointing to an address of the data file or document to be transferred to any designated user of the printing control system. The print job record further consists of a user file or header associated with the data file or document to be transferred through the printing control system, which user file or header includes information regarding users defined as designated users allowed access to the document, time during which the designated users are allowed access to the document and/or an address pointer to the document.

In Paragraph 76, Olsen further states that data file or document is providing a

document in printer readable format (user's image data).

[0076] In block 204, the data file or document is spooled providing a document in a printer readable format. The spooling operation is performed at each client or in an alternative embodiment of the present invention at the server. Since in the preferred embodiment of the present invention the client performs the spooling operations a plurality of spooling operations may be performed simultaneously at each client.

In Paragraph 74,77,78, Olsen further teaches selecting production options for a

print job for said user's image data using said production device. Olsen teaches a user

to request for the particular print job at any printer connected in the printing system

(selecting production options for a print job for user's image data).

In Paragraph 77, Olsen states the print job being particular to any data file or document,

which spooled as print job for the printing control system.

[0077] As the data file or document is spooled the print job is transferred to the job database in block 206. The document is written to a document table and the user file or header is written to a user table, which document table and user table is described with reference to FIG. 2. In the printing control system according to an alternative embodiment of the present invention the user file or a header contains a pointer addressing the document in a storage medium at the client. The client provides the document to designated users of the printing control system upon request from a designated user. In this alternative embodiment the print job is written to the user table since the user file or header contains all necessary information for the printing control system to extract the document from the client.

[0078] In block 208, the server is notified of the existence of a print job transferred from any of the plurality of clients in the printing control system. Subsequently the server enters a waiting mode with respect to the particular print job shown as question block 210. The server waits for any user to request the particular print job at any printer connected in the printing control system. If a user performs a request for

any print job at any of the printer communication unit connected in the printing control system, then the server initiates a verification of the requesting user shown as block 212 by correlating user log on information with user information stored in a server memory.

The data file or document being printed at any printer (production device) in the printing control system. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Olsen's teaching in Horn's teaching to come up with retrieving image data and selecting the data for printing and specifying account ID for processing the job. The motivation for doing so would be to print the image data which the user has selected using the account ID so that printing will not be mixed up with other user's printing job. Therefore both Olsen and Horn teaches the claimed limitations.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Dhairya A. Patel
Examiner
Art Unit 2151
July 16, 2007

Conferees:

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